

IN THE UNITED STATES DISTRICT COURT
FOR DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

Edward O'Finnegan,
Plaintiff, ProSe'

-versus-

CAPITAL ONE AUTO FINANCE,
Defendant

CIVIL ACTION

NUMBER 2010-CV-965

JUDGE WJ / LFG

TRIAL BY JURY DEMANDED

CIVIL RIGHTS ISSUE

11 MAY -9 AM 8:44

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ANSWER TO COUNTERCLAIM

NOW COMES the Plaintiff, Edward O'Finnegan, ProSe, and replies to Defendant's Counterclaim, as follows:

1. Plaintiff admits paragraphs 1 – 6.
2. Plaintiff denies paragraphs 7 – 8, in that Plaintiff demanded verification of the debt, and none was provided. Until the debt is proven, contract is unenforceable and plaintiff is under no obligation to pay.
3. Plaintiff lacks sufficient information and therefor denies paragraph 9.
4. Paragraph 10 is a statement referencing previous paragraphs.
5. Plaintiff denies paragraphs 11 – 14, in that contract is invalid and unenforceable.

WHEREFORE, Plaintiff prays that the Counterclaim be dismissed, with costs.

Edward O'Finnegan

Edward O'Finnegan, Plaintiff ProSe'
1014 Washington St SE
Albuquerque, NM 87108

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing document has been served upon the Defendants Attorneys Stan N. Harris of Modrall Sperling, and Kevin D. Quigley and John Craiger of Quarles & Brady LLP, through the Courts electronic CM/ECF system, on or about the date of this filing with the Court Clerk.

Edward O'Finnegan

Edward O'Finnegan, Plaintiff ProSe'
1014 Washington St SE
Albuquerque, NM 87108